

ROUTING AND TRANSMITTAL SLIP		Date
		28 Feb 1985
TO: (Name, office symbol, room number, building, Agency/Post)	Initials	Date
1. C/CMS	<i>EC</i>	28
2. EXO	<i>BH</i>	1 March
3. ADDA	<i>J</i>	1 MAR 1985
4. DDA	<i>J</i>	1 MAR 1985
5. <i>Registry - file</i>		
Action	File	Note and Return
Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
Circulate	For Your Information	See Me
Comment	Investigate	Signature
Coordination	Justify	

REMARKS

Original forwarded to Deputy General Counsel  
2-28-85.

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post)

DA/CMS

Room No.—Bldg.

7C18-HQS

5041-102

OPTIONAL FORM 41 (Rev. 7-76)

Prescribed by GSA  
FPMR (41 CFR) 101-11.206

\* GPO : 1983 O - 381-529 (301)

STAT

DD/A Registry  
85-0733

28 FEB 1985

DD/A REGISTRY

MEMORANDUM FOR: Deputy General Counsel

FILE: 30-13

FROM:

[REDACTED] Chief, Career Management Staff, DDA 25X1

SUBJECT: Conflict of Interest-Employment and  
Financial Interest Statements [REDACTED] 25X1REFERENCE: Memo from Deputy General Counsel (OGC 84-53043)  
Multiple Addressees dtd 20 Nov 84; Same  
Subject

1. This is to advise that all Offices in the Directorate of Administration have responded to me with the names of those employees required to file statements, the number of statements received and approved, and those awaiting final resolution. As in past years, I have retained in my office the names of those required to file these statements. All statements have been retained by the respective Office Directors. [REDACTED] 25X1

2. There were 375 employees within the DA who were asked to complete statements as reflected in the following summary of Offices: (C)

O/DDA	0
Communications	52
Finance	34
Information Services	0
Information Technology	176
Logistics	38
Medical Services	18
Personnel	23
Security	19
Training and Education	15
	<u>375</u>

3. Statements have been received and approved for 364 of the 375 employees. Five of the statements that have not as yet been completed are from the Office of Logistics and six are from the Office of Medical Services. Those not completed are for individuals assigned [REDACTED] on leave or on

WARNING NOTICE  
INTELLIGENCE CONCERNS  
OR METHODS INVOLVED

CONFIDENTIAL

SUBJECT: Conflict of Interest-Employment and Financial  
Interest Statements

TDY assignments. Statements will be provided to each of these individuals as soon as possible and we expect to have them completed within thirty days. A supplementary report will be submitted when these cases are resolved.

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Distribution:

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① - DDA Subject

1 - DDA Chrono

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DDA/C/CM  
28 Feb 1985

25X1



3. Agency personnel required to file such statements (Form 2630) are as follows:

a. Employees, paid at GS-13, GS-14, GS-15, or at a comparable pay level, in positions determined by the appropriate Deputy Director, operating official, or head of independent office to be responsible for making a Government decision or taking a Government action regarding (1) contracting or procurement, (2) administering or monitoring financial transactions, (3) regulating or auditing private or other non-Federal enterprise, or (4) other activities where the decision or action may have an economic impact on the interests of any non-Federal enterprise; or

b. Employees, paid at GS-13, GS-14, GS-15, or at a comparable level, in any other positions which the appropriate Deputy Director, operating official, or head of independent office otherwise has determined to have duties and responsibilities that require the incumbent to report employment and financial interest in order to avoid involvement in a possible conflict of interest -- for instance, employees with access to nonpublicly available economic intelligence or information of sufficient detail to provide a reasonable basis upon which an individual might make or refrain from making private economic decisions, with regard to investments, trading, or otherwise.

4. In our view, in implementing the standards just noted, the following individuals are examples of employees who should normally be required to file financial disclosure reports:

a. Auditors.

b. Attorneys.

c. Heads of divisions or comparable organization units.

d. Heads of  installations.

e. Directors, officers or board members who exercise significant decision making authority with respect to financial institutions or

organizations comprised primarily of current or former Agency employees (i.e., credit union, VIP, GEHA, etc.).

f. Employees in positions involving assigned duties and responsibilities which require the incumbent to make fact-finding determinations or to exercise judgment in recommending a decision or an action in regard to:

- (1) Evaluation, appraisal or selection of contracts or subcontracts, prospective contractors, or prospective subcontractors, the proposals of such contractors or subcontractors, the activities performed by such contractors or subcontractors, or determination of the extent of compliance of such contractors or subcontractors with contract provisions.

- (2) Negotiation, modification or approval of contracts or subcontracts.

- (3) Evaluation, appraisal or selection of prospective project sites or locations of work or activities, including real property proposed for acquisition by purchase or otherwise.

- (4) Inspection and quality assurance of material, products or components for acceptability.

- (5) Review or approval for access permits.

- (6) Technical planning or design which involves the preparation of specifications or technical requirements.

- (7) Negotiation of agreements for cooperation or implementing arrangements with foreign countries, international organizations, or non-Federal enterprises.

- (8) Utilization or disposal of excess or surplus property.

(9) Procurement of materials, services, supplies, or equipment.

(10) Audit of financial transactions.

g. Employees in positions involving assigned duties and responsibilities which provide the incumbent with access to nonpublicly available economic intelligence or information which is sufficiently detailed that it could afford a reasonable basis for an individual to make or refrain from making private economic decisions, with respect to investments, trading, or otherwise.

The above listing is not intended to be all-inclusive, as other officials may be requested to file if it is determined that they are regularly involved in activities where their decision or action has a substantial economic impact on the interests of a non-Federal enterprise.

25X1 5. Employees at GS-16 or above are required to complete a different financial disclosure report under the Ethics Act and need not file a Form 2630. Also, employees covered by subparagraph a. above may be excluded from the reporting requirement by an appropriate determination that the employee falls within paragraph (4) of HR [redacted] Under the provision, employees are excluded from the reporting requirement if the designating official determines that the duties of the employee are such that the likelihood of a conflict is remote, the degree of supervision is such that a statement need not be filed, or that any conflict would have only an inconsequential effect "on the integrity of the Government." With respect to employees classified below the GS-13 level, such employees may be required to file a Form 2630 if they otherwise meet the above-described criterion. If you believe that individuals in your component below GS-13 should be required to file, you should contact this Office immediately and identify the position and individual so designated.

6. The purpose of this review is to determine whether the duties of the employee involve organizations, persons, or real property in which the employee has a financial interest or an employment relationship. As the instructions accompanying Form 2630 indicate, the relevant financial interests are those of the employee, his spouse, his minor children, and members of his family who reside with him.

25X1 7. I suggest that your instructions require submission of all statements to you by 28 December 1984 and that you complete your review no later than 1 February 1985. Procedures for submission are prescribed by paragraph (4) of HR [redacted] Upon review and approval each statement should be marked to show the date of such action and the initials or name of the approving official. This review constitutes a certification by the reviewing officials that the financial statement discloses no real or apparent conflict of interest. Those statements that do indicate a conflict of interest or raise a question of conflict should be discussed with this Office or the Financial Disclosure Review Panel member representing your component.

8. It is the responsibility of this Office to ensure that the steps outlined above have been taken and that the Agency is in compliance with applicable law and regulations. Therefore, I ask that each of you or a designee submit to me by 1 March 1985 a report which contains the names of those employees required to file statements, the number of statements received and approved, and those awaiting final resolution. In the latter case, you should briefly summarize the problem and how you are handling it. Supplementary reports should be made every 30 days until you have received and reviewed financial statements from all employees required to submit them.

9. Members of this Office will be available to advise and assist in the review of the statements of employment and financial interest, but you should feel free to consult also with your Financial Disclosure Review Panel member designated for your component. A current list of panel members is attached. If you have any additional questions or comments, please feel free to call me on [redacted]  
[redacted]

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Attachment: As stated.

cc: General Counsel



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